COURT NO.2
IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (S/S) 256/2002
(Old No. 23614/1994)

Sudasharan Sharma,
S/o Late Sri Diwan Chand,
R/o Village Prahladpur,
Post Office Prahladpur,
District Haridwar.

.....Petitioner

Versus

1. State of Uttar Pradesh,
   Through Secretary,
   State Sugar Service Tribunal,
   U.P., Lucknow.
2. Cane Commissioner,
   U.P., Lucknow.
3. Deputy Cane Commissioner / Adhyaksh
   Kshetriya Ganna Sewa Pradhikaran,
   Saharanpur.
4. District Cane Officer,
   Haridwar.

.....Respondents

None for the petitioner.
Learned Standing Counsel for the State.
Sri Gopal Narain, learned Counsel for the respondent no. 3.

27th November, 2007

Hon'ble P.C. Verma, J.

By means of this writ petition, the petitioner has prayed for a writ of Mandamus commanding the respondents to release the pension of the petitioner.

2. In the counter-affidavit, it has been stated that the petitioner has retired from service as an employee of the Cane Society and under the bye laws of the Cooperative Cane Society, the post of Cane Supervisor is not

pensionable one. Therefore, the petitioner is not entitled for any pension under the law.

3. In view of the above statement made by Sri Gopal Narain, learned Counsel for the respondent no. 3 on the basis of the facts narrated in the counter-affidavit, the petition lacks merit and is dismissed accordingly. No order as to costs.

(P.C. Verma, J.)

Prabodh